

ZB# 06-02

Erica Grassi

15-4-3

^{ZUH}
06-02

ERICA GRASSI (AREA)
64 MERLINE AVE. (15-4-3)

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553

Granted 2-27-06



Town of New Windsor

**555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689**

OFFICE OF THE ZONING BOARD OF APPEALS

June 27, 2006

Erica L. Grassi
64 Merline Avenue
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #06-02

Dear Ms. Grassi:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 15-4-3

In the Matter of the Application of

**MEMORANDUM OF
DECISION GRANTING**

ERICA GRASSI

AREA

CASE #06-02

WHEREAS, Erica Grassi , owner(s) of 64 Merline Avenue, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 13.3 feet Side Yard Setback for proposed addition to existing single-family dwelling (300-10(6) at 64 Merline Avenue in an R-4 Zone 15-4-3

WHEREAS, a public hearing was held on February 27, 2006 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a one Family Dwelling located in a neighborhood of one Family Dwellings in an R-4 zone.
 - (b) The applicant seeks to place an extension on the existing one-family residence
 - (c) In constructing the addition, the applicant will remove no trees or substantial vegetation.

- (d) In constructing the addition, the applicant will not create the ponding or collection of water or divert the flow of water drainage.
- (e) The addition will not interfere with, nor is it on top of any easements including, but not limited to, water, sewer or electrical easements.
- (f) If the addition is permitted, the resulting home will be similar in size and nature to other homes in the neighborhood.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s) provided that the applicant combines lots 408 and 409 (or 6 & 7) if they have not already been combined on a single deed.

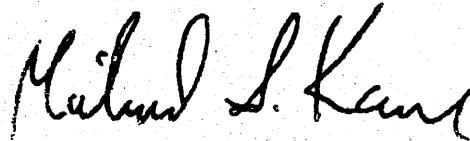
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 13.3 feet Side Yard Setback for proposed addition to existing single-family dwelling (300-10(6) at 64 Merline Avenue in an R-4 Zone 15-4-3 as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: February 27, 2006

A handwritten signature in dark ink, appearing to read "Michael S. Kene", is written above a horizontal line.

Chairman

ERICA_GRASSI_(06-02)

MR. KANE: Request for 13.3 feet side yard setback for proposed addition to existing single-family dwelling at 64 Merline Avenue.

Ms. Erica Grassi appeared before the board for this proposal.

MR. KANE: Tell us what you want to do.

MS. GRASSI: I want to put an extension on my house, going out how many feet, dad, 15, 16 feet and up and over.

MR. KANE: Your home as it exists now is it a small home in the neighborhood that you're in?

MS. GRASSI: It's small, 20 x 20.

MR. KANE: Putting the addition on will you be cutting down any trees? I know I can see it but--

MS. GRASSI: No trees are coming down.

MR. KANE: No substantial vegetation, no creating water hazards or runoffs?

MS. GRASSI: No.

MR. KANE: Any easements going through that area of your property?

MS. GRASSI: No.

MR. KANE: And with the addition, the home itself is going to be similar in size and nature to the other homes that are in your neighborhood?

MS. GRASSI: Yes.

MR. KANE: I'll ask if there's anybody in the audience that wants to speak for this petition? Nobody's here. We open and close the public portion of the meeting and ask Myra how many mailings.

MS. MASON: On February 8, we mailed out 79 envelopes and had no response.

MR. KANE: Any further questions?

MS. LOCEY: You'll be less than 7 feet from your side?

MS. GRASSI: More than 7 feet, we've got 15 feet.

MS. LOCEY: Is that what you're requesting?

MR. KANE: No, they're requesting 13.3 variance, they're allowing 7, you need 20, they have 7 requesting 13.3.

MS. LOCEY: Right so it's 6.7 feet off of the side yard?

MR. BABCOCK: That's correct.

MS. LOCEY: And I just want to ask if that's kind of the norm in that neighborhood?

MS. GRASSI: Yes.

MR. KANE: Honestly doesn't look like it from the pictures I see.

MS. LOCEY: Well, nobody responded to 70 plus.

MR. TORPEY: She's actually in a pretty big area for that spot.

MR. KANE: Any further questions?

MR. BABCOCK: I'd like to ask the applicant, lot 409 and 408 is that all one lot or are we building a house splitting a lot, do you know, ma'am?

MR. KANE: This is what he's talking about.

MS. GRASSI: Well, that's all my lot, I don't know about splitting a lot.

MR. LUNDSTROM: 408 is your lot and 409?

MR. TORPEY: Six and seven are two separate lots or one whole lot?

MR. BABCOCK: I don't know.

MR. KANE: That's the way it looks.

MR. BABCOCK: Do you have one deed?

MS. GRASSI: Yes.

MR. BABCOCK: You get one tax bill?

MS. GRASSI: Yes.

MS. MASON: There's only one tax lot number.

MR. TORPEY: Are those dots where the house sits on those lots?

MR. BABCOCK: The dots are splitting that lot right in half, see it, that's two lots, it was two lots at some point.

MR. LUNDSTROM: It may have been two lots that were then combined for tax billing purposes.

MR. BABCOCK: If they weren't combined we'd want them

combined. It's fine, Mr. Chairman.

MR. KANE: Any other questions? I'll accept a motion.

MS. LOCEY: I'll offer a motion to grant the requested variance on the application of Erica Grassi for 13.3 foot side yard setback for proposed addition to an existing single family dwelling at 64 Merline Avenue in an R-4 zone.

MS. GANN: I'll second that motion.

ROLL CALL

MS. GANN	AYE
MR. LUNDSTROM	AYE
MR. TORPEY	AYE
MS. LOCEY	AYE
MR. KANE	AYE

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: 11/28/05

APPLICANT: Erica L. Grassi
64 Meriline Avenue
New Windsor, New York 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 11/17/05

FOR : Erica L. Grassi

LOCATED AT: 64 Meriline Avenue

ZONE: R-4 Sec/Blk/ Lot: 15-4-3

COPY

DESCRIPTION OF EXISTING SITE: SINGLE FAMILY DWELLING W/ PROPOSED ADDITION
IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. 300-10 LINE 6 COLUMN F (20' SIDEYARD) PROPOSED SIDE YARD OF 6.7'. A VARIANCE OF 13.3' IS REQUIRED.


BUILDING INSPECTOR

PERMITTED

**PROPOSED OR
AVAILABLE:**

**VARIANCE
REQUEST:**

ZONE: R-4 USE:

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

6-F REQ'D SIDE YD: 20'

6.7'

13.3'

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

NOV 16 2005

FOR OFFICE USE ONLY:
Building Permit #: PA3005-1226

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises ERICA GRASSI Bob
Address 64 MERILINE AVE, NEW WINDSOR, N.Y. Phone # 565-6592
Mailing Address SAME AS ABOVE Fax # _____
Name of Architect ROBERT MICHAEL SEARS
Address 35 MERILINE AVENUE, NEW WINDSOR Phone 845-562-3232
Name of Contractor ROBERT GRASSI

Address - 671 MERILINE AVE., NEW WINDSOR, N.Y. Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder Owner

If applicant is a corporation, signature of duly authorized officer. _____
(Name and title of corporate officer)

1. On what street is property located? On the W side of MERILINE AVE.
(N, S, E or W)
and 14'-0 feet from the intersection of MERILINE AVE AND BRADFORD AVE
2. Zone or use district in which premises are situated R4 Is property a flood zone? Y _____ N _____
3. Tax Map Description: Section 15 Block 4 Lot 3
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy SINGLE FAMILY b. Intended use and occupancy SINGLE FAMILY
5. Nature of work (check if applicable) ☐ New Bldg. ☒ Addition ☒ Alteration ☐ Repair ☐ Removal ☒ Demolition ☐ Other
6. Is this a corner lot? YES
7. Dimensions of entire new construction. Front $\pm 35'-7\frac{1}{2}"$ Rear $\pm 35'-7\frac{1}{2}"$ Depth $\pm 31'-9\frac{3}{4}"$ Height $\pm 31'-0"$ No. of stories 2
8. If dwelling, number of dwelling units: 1 Number of dwelling units on each floor _____
Number of bedrooms 3 Baths 2 Toilets 3 Heating Plant: Gas _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost 65,000 Fee _____

ZONING BOARD

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Liel & Louis Kryohsar
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4818
(845) 563-4895 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

X *Robert J. Grass*

(Signature of Applicant)

(Address of Applicant)

X *Erica Grass*

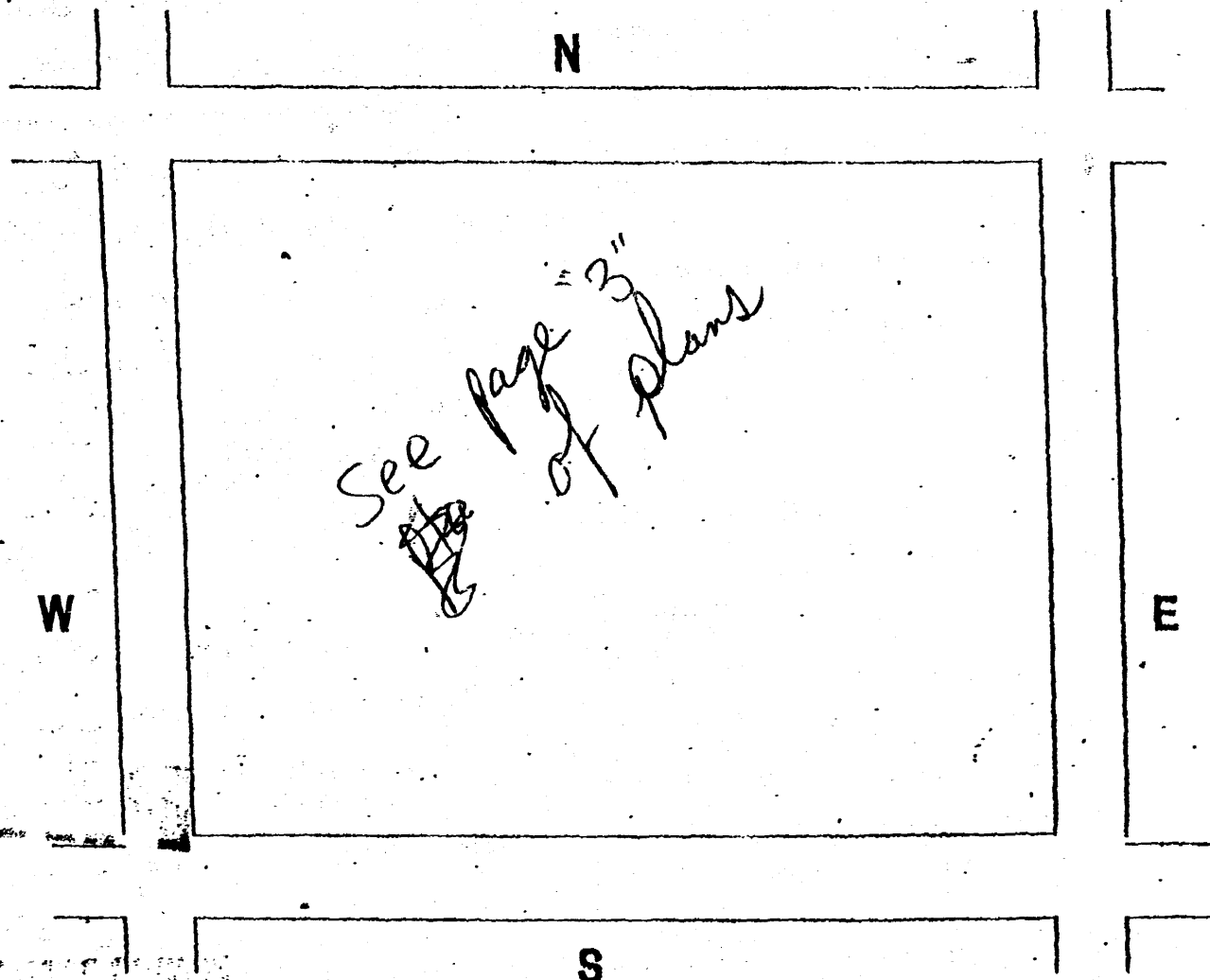
(Owner's Signature)

64 Marine Ave, New Windsor

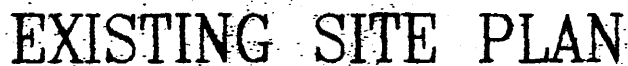
(Owner's Address) NY 12553.

PLOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
MOUNTAIN

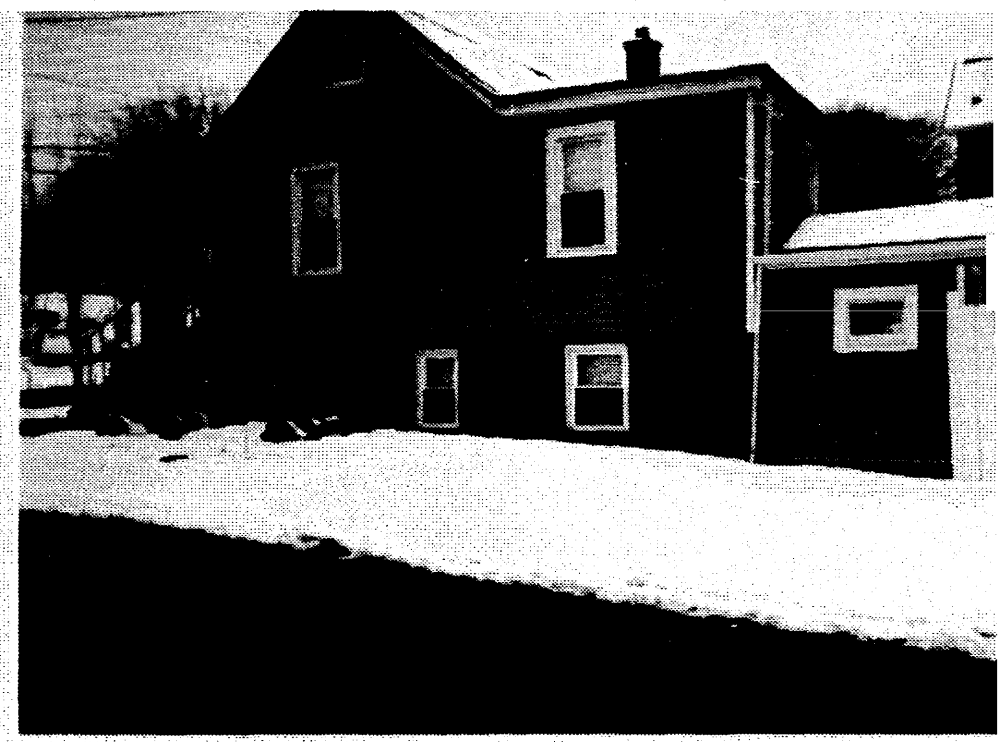


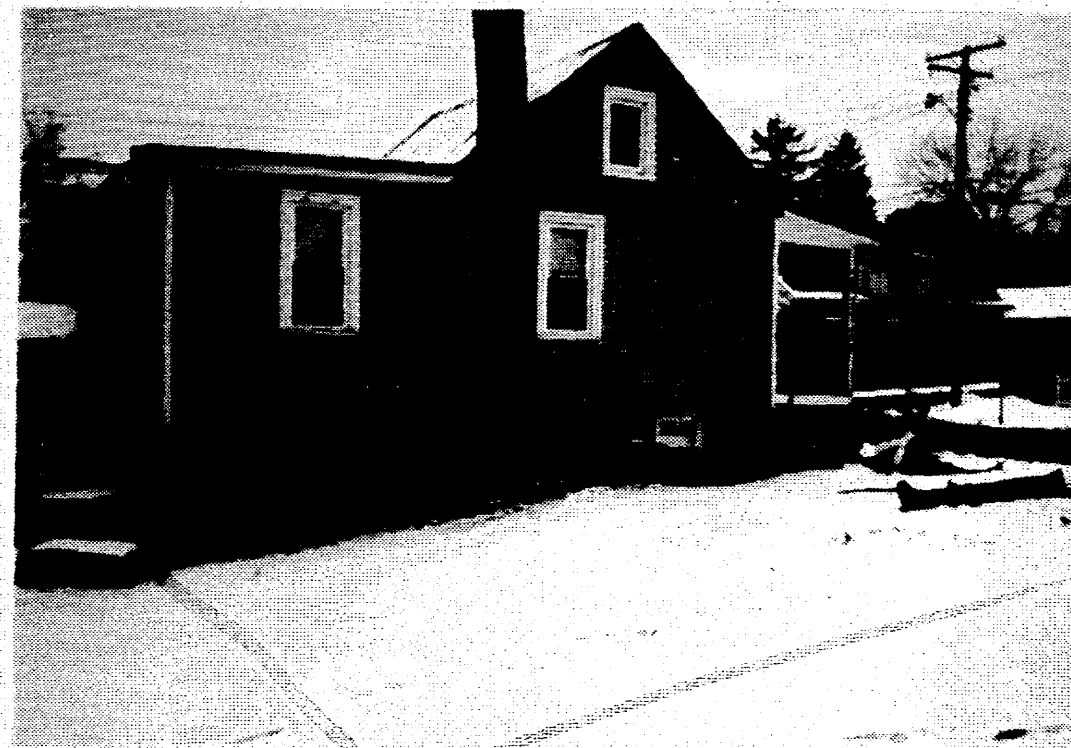
1" = 20'

NEW FIBER GLASS, SELF-SEALING, CLASS 'A', ROOF SHINGLES
CALL OR WRITE TODAY TO SEE THESE NEW SHINGLES ON 45th









**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: 04-25-06
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 169.50 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #06-02

NAME & ADDRESS:

**Erica L. Grassi
64 Merline Avenue
New Windsor, NY 12553**

THANK YOU,

MYRA

L.R.04-25-06



TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS



FILE #06-02 TYPE: AREA TELEPHONE: 917-825-9333

APPLICANT:

Erica L. Grassi
64 Merline Avenue
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK # <u>861</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 862



DISBURSEMENTS:

MINUTES ATTORNEY
\$5.50 / PAGE FEE
\$7.00/page - 2006

PRELIMINARY:	<u>3</u>	PAGES	<u>\$ 16.50</u>	<u>\$ 35.00</u>
2 ND PRELIMINARY:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>4</u>	PAGES	<u>\$ 28.00</u>	<u>\$ 35.00</u>

LEGAL AD: Publish Date: \$ 16.00

TOTAL: \$ 60.50 \$ 70.00



ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 130.50

AMOUNT DUE: \$ _____

REFUND DUE: \$ 169.50

Cc:

L.R. 04-25-06



RESULTS OF Z.B.A. MEETING OF: February 27, 2006

PROJECT: Erica Grassi ZBA # 06-02
P.B.# _____

P.B.# _____

USE VARIANCE: NEED: EAF PROXY

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

PUBLIC HEARING: M)_____ **S)**_____ **VOTE: A**____ **N**_____

GANN _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

APPROVED: M)____S)____ VOTE: A____N____

GANN _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M)___ S)___ VOTE: A___ N___

GANN _____
LOCEY _____
TORPEY _____
KANE _____

CARRIED: Y_____ N_____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ✓
VARIANCE APPROVED: M L O S G N VOTE: A 5 N O.

GANN
LOCEY
TORPEY
KANE

CARRIED: Y ☒ N ☐

GANN	A
LUNDSTROM	A
TORPEY	A
LOCEY	A
KANE	A

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

ERICA GRASSI

#06-02

STATE OF NEW YORK)
) SS:
COUNTY OF ORANGE)


That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 8TH day of **FEBRUARY**, 2006, I compared the 79 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

8th day of February, 2006


Notary Public

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/2006

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

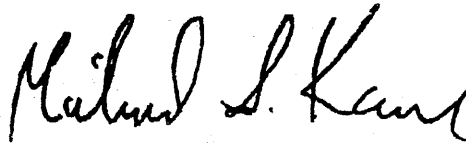
Appeal No. 06-02

Request of ERICA GRASSI

for a VARIANCE of the Zoning Local Law to Permit:

Request for 13.3 feet Side Yard Setback for proposed addition to existing single-family dwelling (300-10(6) at 64 Merline Avenue in an R-4 Zone 15-4-3

PUBLIC HEARING will take place on FEBRUARY 27, 2006
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.



Michael Kane, Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-3101

Assessors Office

January 12, 2006

Erica Grassi
64 Merline Avenue
New Windsor, NY 12553

Re: 15-4-3

ZBA#: 06-02 (79)

Dear Ms. Grassi:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$95.00, minus your deposit of \$25.00.

Please remit the balance of \$70.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO
Sole Assessor

JTW/tmp
Attachments

CC: Myra Mason, Zoning Board

13-11-6
Edwin Torres
Migdalia Oquendo
38 Melrose Avenue
New Windsor, NY 12553

13-11-9
Edward & Helen Simanoski
56 Melrose Avenue
New Windsor, NY 12553

13-11-14
Thaddeus Malinowski
John Rymaszewski
39 Lawrence Avenue
New Windsor, NY 12553

13-12-4
Evet Mitchell
40 Lawrence Avenue
New Windsor, NY 12553

13-12-10
Malinda Nieves
60 Lawrence Avenue
New Windsor, NY 12553

13-12-13
Valarie Robinson
47 Merline Avenue
New Windsor, NY 12553

13-12-15
Hazelton & Anna Kerr
37 Merline Avenue
New Windsor, NY 12553

13-12-18
North Plank Development Co., LLC
5020 Route 9W
Newburgh, NY 12550

13-13-9
Franklin Albright
42 Merline Avenue
New Windsor, NY 12553

13-13-13
Dennis & Joan Maher
54 Merline Avenue
New Windsor, NY 12553

13-11-7 & 13
Khoa Van Pham
Anh Tran
44 Melrose Avenue
New Windsor, NY 12553

13-11-10
Lawrence Avenue Properties, LLC
63 Lawrence Avenue
New Windsor, NY 12553

13-21-2
DAV – Chapter 152
c/o Treasurer
30 Lawrence Avenue
New Windsor, NY 12553

13-12-5
Carlos & Christina Nieves
44 Lawrence Avenue
New Windsor, NY 12553

13-12-11
Abie & Maria Colon
57 Merline Avenue
New Windsor, NY 12553

13-12-14.1
Thomas & Rose DeToro
45 Merline Avenue
New Windsor, NY 12553

13-12-16
James & Rose Sears
c/o Robert Sears / ATT: Tom Sears
3 Valewood Drive
New Windsor, NY 12553

13-13-5
Everett & Mary Smith
36 Merline Avenue
New Windsor, NY 12553

13-13-11
George & Sheila Manning
46 Merline Avenue
New Windsor, NY 12553

13-13-14
Kristina & Michael Paz
60 Merline Avenue
New Windsor, NY 12553

13-11-8
Jeffrey & Frances Kirk
46 Melrose Avenue
New Windsor, NY 12553

13-11-11,15-7-1,15-7-11
Lawrence Avenue Properties, LLC
593 Lakeside Road
Newburgh, NY 12550

13-12-03
Brett Cunningham
36 Lawrence Avenue
New Windsor, NY 12553

13-12-8
Michael Kagan
46 Lawrence Avenue
New Windsor, NY 12553

13-12-12
Rose Piperato et al
51 Merline Avenue
New Windsor, NY 12553

13-12-14.2
Tiberio Corrieri
41 Merline Avenue
New Windsor, NY 12553

13-12-17
Karen Jeffers
33 Merline Avenue
New Windsor, NY 12553

13-13-6 & 7
Gerald Gillispie
Joan Livingston
38 Merline Avenue
New Windsor, NY 12553

13-13-12
Jerry Stuit
48 Merline Avenue
New Windsor, NY 12553

13-13-15 & 16
William & Jodi McDonough
41 Myrtle Avenue
New Windsor, NY 12553

13-13-18.1

Michael Mallory
Jinkie Jane Haggett Bautista
39 Myrtle Avenue
New Windsor, NY 12553

13-13-22

Scott Potter
23 Myrtle Avenue
New Windsor, NY 12553

13-14-9

Carl & Gwendolyne Carlson
26 Myrtle Avenue
New Windsor, NY 12553

13-14-19

Anna Cardamone
15 Cherry Avenue
New Windsor, NY 12553

15-2-4

Vincent & Colleen White
72 Myrtle Avenue
New Windsor, NY 12553

15-2-10

James & Susan Smart
84 Myrtle Avenue
New Windsor, NY 12553

15-4-2

Anne Corso
37 Bradford Avenue
New Windsor, NY 12553

15-4-6

Michael & Sharon Alexander
80 Merline Avenue
New Windsor, NY 12553

15-4-10

Rose Gilfcather
90 Merline Avenue
New Windsor, NY 12553

15-4-29

Arthur & Clara Mott
91 Myrtle Avenue
New Windsor, NY 12553

13-13-20

Miguel & Maria Cruz
31 Myrtle Avenue
New Windsor, NY 12553

13-13-23

John Kaczmarek
13 Myrtle Avenue
New Windsor, NY 12553

13-14-11 & 18

Edward Makarewicz
19 Cherry Avenue
New Windsor, NY 12553

13-14-20

Dorothea & Richard Makarewicz
11 Cherry Avenue
New Windsor, NY 12553

15-2-6

Keith Friedman
74 Myrtle Avenue
New Windsor, NY 12553

15-2-11.1

John & Susan Manning
90 Myrtle Avenue
New Windsor, NY 12553

15-4-4

Derek Crawford
70 Merline Avenue
New Windsor, NY 12553

15-4-7

Anna Yonnone
82 Merline Avenue
New Windsor, NY 12553

15-4-11

Margaret, Caroline & Frank Komar
96 Merline Avenue
New Windsor, NY 12553

15-4-30

Michael & Roberta Krok
81 Myrtle Avenue
New Windsor, NY 12553

13-13-21

Adan & Michelle Gomez
27 Myrtle Avenue
New Windsor, NY 12553

13-14-6.1

Gasper Cangelosi
Elizabeth Cangelosi
20 Myrtle Avenue
New Windsor, NY 12553

13-14-12 – 13-14-17, 15-4-32

Vincent Yonnone
63 Myrtle Avenue
New Windsor, NY 12553

15-2-2.1 & 32.1

John Jesek
Christopher Vargo
26 Hardie Street
Verplank, NY 10596

15-2-7

Rose Anna Crudele
78 Myrtle Avenue
New Windsor, NY 12553

15-4-1

Daniel & Dolores D'Elicio
53 Myrtle Avenue
New Windsor, NY 12553

15-4-5

David Yonnone
74 Merline Avenue
New Windsor, NY 12553

15-4-8

Ronald & Lari-Sue McDermott
88 Merline Avenue
New Windsor, NY 12553

15-4-28.1

Richard & Mary Ann Hotaling
95 Myrtle Avenue
New Windsor, NY 12553

15-4-31

Cosmo & Stephanie Yonnone
67 Myrtle Avenue
New Windsor, NY 12553

15-4-33
Frances Linton
59 Myrtle Avenue
New Windsor, NY 12553

15-6-1
Manuel Dominguez
29 Bradford Avenue
New Windsor, NY 12553

15-6-4
William Oliver
954 Route 32
Wallkill, NY 12589

15-6-12.1
Dante DiChiaro
81 Merline Avenue
New Windsor, NY 12553

15-7-2
Susan & Douglas Olympia
58 Melrose Avenue
New Windsor, NY 12553

15-7-5
Rosendo Mosso
76 Melrose Avenue
New Windsor, NY 12553

15-7-9
Edgar Rivera
77 Lawrence Avenue
New Windsor, NY 12553

15-5-1
John & Frances Homin
91 Merline Avenue
New Windsor, NY 12553

15-6-2
Gregory Greiner
70 Lawrence Avenue
New Windsor, NY 12553

15-6-6 & 10
Michelle Roach
32-30 Cruger Avenue
Bronx, NY 10467

15-6-13
Charles Tausk
Leara Quistgaard
77 Merline Avenue
New Windsor, NY 12553

15-7-3 & 10
William & Maria D'Amico
73 Lawrence Avenue
New Windsor, NY 12553

15-7-6
Shama Zafar
106 Parkview Road
Elmsford, NY 10523

15-5-4
Rebecca Foster
14 Goodman Avenue
New Windsor, NY 12553

15-6-3
Angela Guevara
74 Lawrence Avenue
New Windsor, NY 12553

15-6-11.1
Alcides & Alexandra Blanco
a/k/a Alejandrina Blanco
87 Merline Avenue
New Windsor, NY 12553

15-6-14
Anita Spencer
Thomas Smith
73 Merline Avenue
New Windsor, NY 12553

15-7-4
Dominick D'Egidio
68 Melrose Avenue
New Windsor, NY 12553

15-7-8
Stanley Fornal, Jr.
c/o Martha Fornal
205 Quassaick Avenue
New Windsor, NY 12553

TOWN OF NEW WINDSOR
REQUEST FOR NOTIFICATION LIST

DATE: 01-09-06 PROJECT NUMBER: ZBA# 06-02 P.B. # _____

APPLICANT NAME: ERICA L. GRASSI

PERSON TO NOTIFY TO PICK UP LIST:

ERICA L. GRASSI
64 MERLINE AVENUE
NEW WINDSOR, NY

TELEPHONE: 917-825-9333

TAX MAP NUMBER: SEC. 15 BLOCK 4 LOT 3
SEC. _____ BLOCK _____ LOT _____
SEC. _____ B LOCK _____ LOT _____

PROPERTY LOCATION: 64 MERLINE AVE
NEW WINDSOR

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT) _____

❖ ❖

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 863

TOTAL CHARGES: _____

ERICA_GRASSI_(06-02)

MR. KANE: Request for 13.3 feet side yard setback for proposed addition to existing single family dwelling at 64 Merline Avenue.

Mr. Robert Grassi appeared before the board for this proposal.

MR. KANE: You're going to speak up a little bit.

MR. GRASSI: I'm Erica's father, Robert R. Grassi, Robert Richard Grassi.

MR. KANE: You're also the contractor?

MR. GRASSI: Yes.

MR. KANE: Addition is going on the chimney side?

MR. GRASSI: Yes.

MR. KANE: How big?

MR. GRASSI: We want to come out 15 feet the length of the house.

MR. KANE: And then the length of the house?

MR. GRASSI: Right.

MR. KANE: That leaves you 13.3 for the side yard, Mike, did the side yard change?

MR. BABCOCK: Yes.

MR. KANE: It's 15?

MR. BABCOCK: No, it's 20 now, Mr. Chairman, just a little clarification the addition is 17 feet wide just

so we can get the numbers right.

MR. KANE: Okay.

MR. BABCOCK: And the requirement in this zone was 15 and it's changed to 20 to today's standard since he needs a variance he doesn't meet the 15 neither so we made him use the 20 the new regulations.

MR. KANE: Okay, with the building of the addition I'm asking obvious questions, cutting down any substantial vegetation or trees?

MR. GRASSI: No.

MR. KANE: Creating any water hazards or runoff?

MR. GRASSI: No.

MR. KANE: Town water and sewer?

MR. GRASSI: Town water and sewer, it's on the opposite side of the house.

MR. KANE: No easements running through where you want to put the addition?

MR. GRASSI: No.

MR. KANE: With the addition going on the house will that keep that house the same in size and nature for your neighborhood?

MR. GRASSI: Oh, yes.

MR. KANE: Not going to make it overly big?

MR. GRASSI: A guy put one down the street twice the size.

January 9, 2006

10

MR. KANE: Any other questions? Accept a motion.

MR. BROWN: Make a motion that we set up Erica Grassi for a public hearing request for 13.3 feet side yard setback for proposed addition to existing single family dwelling at 64 Merline Avenue.

MS. LOCEY: Second that motion.

ROLL CALL

MS. GANN	AYE
MS. LOCEY	AYE
MR. BROWN	AYE
MR. KANE	AYE

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 01-09-06

FOR: ESCROW 06-02

FROM:

CHECK FROM:

Erica L. Grassi
64 Merline Avenue
New Windsor, NY 12553

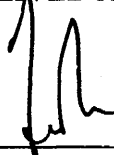
SAME

CHECK NUMBER: 862

TELEPHONE: 917-825-9333

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

1-9-06

DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

**Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611**

**RECEIPT
#17-2006**

01/10/2006

Grassi, Erica

**Received \$ 50.00 for Zoning Board Fees, on 01/10/2006. Thank you for
stopping by the Town Clerk's office.**

As always, it is our pleasure to serve you.

**Deborah Green
Town Clerk**

ZBA# 06-02 application See



RESULTS OF Z.B.A. MEETING OF:

January 9, 2006

PROJECT:

Erica Grassie

ZBA #

06-02

P.B.#

USE VARIANCE:

NEED: EAF

PROXY

LEAD AGENCY: M) S) VOTE: A N

GANN
LOCEY
BROWN
MCDONALD
REIS
KANE

CARRIED: Y N

PUBLIC HEARING: M) S) VOTE: A N

GANN
LOCEY
BROWN
MCDONALD
REIS
KANE

CARRIED: Y N

NEGATIVE DEC: M) S) VOTE: A N

GANN
LOCEY
BROWN
MCDONALD
REIS
KANE

CARRIED: Y N

APPROVED: M) S) VOTE: A N

GANN
LOCEY
BROWN
MCDONALD
REIS
KANE

CARRIED: Y N

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING:

M) B S) L

VOTE: A 4 N 0

GANN
LOCEY
BROWN
~~MCDONALD~~
~~REIS~~
KANE

CARRIED: Y ☒ N

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES

VARIANCE APPROVED:

M) S) VOTE: A N

GANN
LOCEY
BROWN
MC DONALD
REIS
KANE

CARRIED: Y N

17 foot addition



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

12/27/05
Date

Application Type: Use Variance ☐ Area Variance ☐
Sign Variance ☐ Interpretation ☐

I. **Owner Information:** Phone Number: (917) 825-9333
Erica Grassi Fax Number: (212) 309-8187
(Name)
64 Merline Ave, New Windsor, NY 12553
(Address)

II. **Applicant:** Phone Number: ()
(Name) Fax Number: ()
(Address)

III. **Forwarding Address, if any, for return of escrow:** Phone Number: ()
Fax Number: ()
(Name)
(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number ()
Fax Number: ()
(Name)
(Address)

V. **Property Information:**
Zone: R-4 Property Address in Question: 64 Merline Ave
Lot Size: _____ Tax Map Number: Section 15 Block 4 Lot 3
a. What other zones lie within 500 feet? _____
b. Is pending sale or lease subject to ZBA approval of this Application? No
c. When was property purchased by present owner? August 2004
d. Has property been subdivided previously? No If so, When: _____
e. Has an Order to Remedy Violation been issued against the property by the
Building/Zoning/Fire Inspector? No
f. Is there any outside storage at the property now or is any proposed? _____

****PLEASE NOTE:*****

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF
SUBMITTAL.**

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.	20'	6.7'	13.3'
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
-
-

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: **(each payable to the TOWN OF NEW WINDSOR)**
- ☐ One in the amount of \$ 300.00 or 500.00 (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)
- ☐ Photographs of existing premises (5 or 6) from several angles. **(IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)**

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

27 day of DEC 2005.



LISA KANIA
Notary Public - State of New York
Reg. No. 01KA6086360
Qualified in Orange County

Signature and Stamp of Notary

My Commission Expires 1/21/2007



Owner's Signature (Notarized)

ERICH GRASSI

Owner's Name (Please Print)

Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

It will not ~~be~~ have an adverse affect on the neighborhood, it will not change the look of the neighborhood. I would like the variance to make the house a little bigger so there will be more living space. (the house is only 800 square feet.)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐



TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, NY 12553
(845) 563-4615 (MYRA MASON)



ZONING BOARD PROCEDURES

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION(LOOK FOR HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)	
APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00
MULTI-FAMILY: (Three Separate Checks Please)	
APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00
COMMERCIAL: (Three Separate Checks Please)	
APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00
INTERPRETATION: (Three Separate Checks Please)	
APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST MEETING.

*

ESCROW
IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

**

LIST OF PROPERTY OWNERS WITHIN 500 FT. RADIUS OF PROPERTY IN QUESTION:	
APPROXIMATE COST FOR PUBLIC HEARING LIST:	
1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00
ANYTHING OVER 100 NAMES IS \$1.00 EA. ADDITIONAL NAME	

PUBLIC HEARING LIST OF PROPERTY OWNERS

1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. **(NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY) MEETING. Please do not call the Assessor's Office looking for your list – they will contact you when it is ready or if necessary, call Myra at 845-563-4615.**
2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
3. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. **BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING.** YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

NOTE:

IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

ERICA GRASSI, deposes and says that he resides
(OWNER)

at 64 Merline Ave in the County of Orange
(OWNER'S ADDRESS)

and State of New York and that he is the owner of property tax map

(Sec. 15 Block 4 Lot 3)
designation number (Sec. _____ Block _____ Lot _____) which is the premises described in

the foregoing application and that he authorizes:

Robert Grassi
(Applicant Name & Address, if different from owner)

64 Merline Ave, New Windsor
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: December 27, 2005 ** Erica Grassi
Owner's Signature (MUST BE NOTARIZED)

Sworn to before me this:
27th day of December 2005

Mary Ann Hotaling Robert Grassi 879-127-782
Signature and Stamp of Notary MARY ANN HOTALING Representative's Signature
Notary Public, State of New York
No. 01H05062877
Qualified in Orange County
Commission Expires July 8, 2006

THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE ZBA MEETINGS.

**** PLEASE NOTE:
ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.**

COMPLETE THIS PAGE ☐